

Exhibit 10

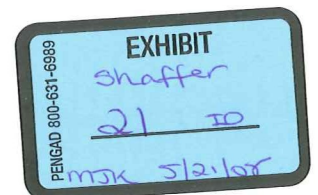
United States of America ex rel. Ven-a-Care of the Florida Keys, Inc. v. Boehringer Ingelheim Corp. et al.

Civil Action No. 07-10248-PBS

Exhibit to the July 24, 2009, Declaration of James J. Fauci
In Support of Plaintiff's Motion for Partial Summary Judgment and
In Opposition to the Roxane Defendants' Motion For Partial Summary Judgment

Roxicodone 15mg/30mg Tablet

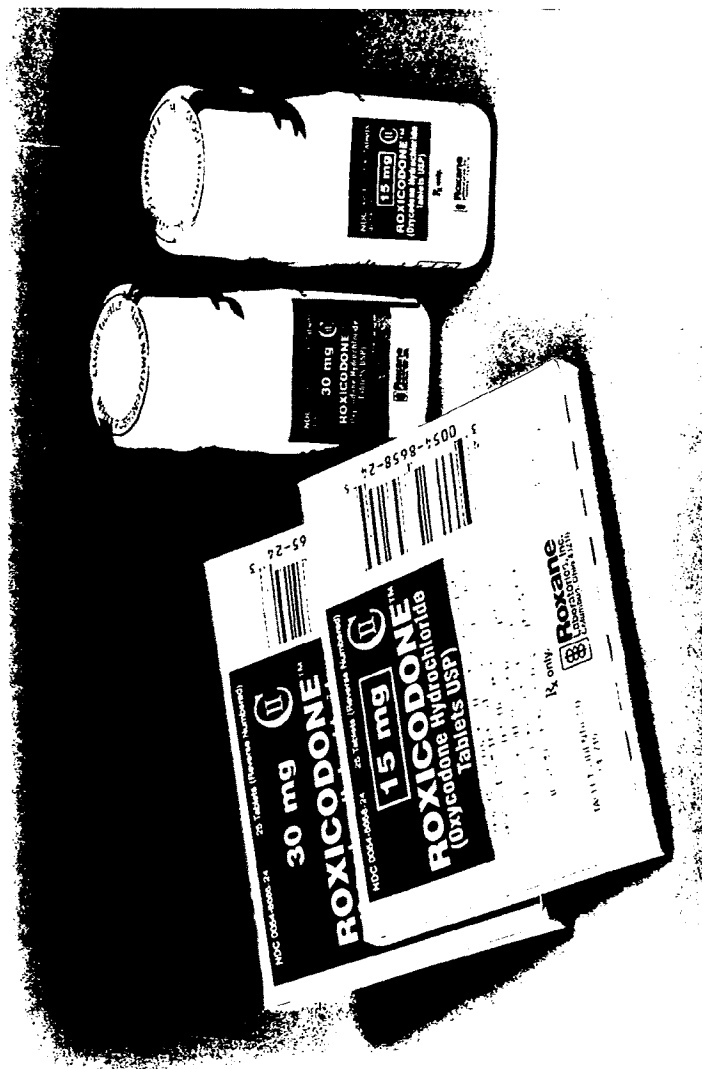
Launch Meeting



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RLI-TX_63114

RLI-AWP-00161991

Pricing and Reimbursement Approach

Summary

It is important to not only understand the background on pricing and reimbursement strategy, but to also be able to explain to the pharmacist how the “numbers” work.

As noted, the pricing and reimbursement objective for the 15mg and 30mg strengths was to set both the WAC and AWP at levels that when reimbursed, reasonably compared to existing oxycodone 5mg tablets so as not to provide an incentive for substitution of multiple 5mg tablets. The oxycodone 5mg tablets market includes several brand and generic competitors. Sales are primarily based on contract prices with several customers paying \$15 - \$20/100 with some high-volume retailers paying less. Based on this research, the following Wholesaler Acquisition Costs (WAC) were set for Roxicodone 15mg and 30mg:

<u>Product Description</u>	<u>WAC</u>
Roxicodone 15mg 100's (Bottles)	\$55.00
Roxicodone 15 4x25's (UD)	\$68.80
Roxicodone 30mg 100's (Bottles)	\$106.00
Roxicodone 30mg 4x25's (UD)	\$134.40

Setting a WAC slightly higher than the average of equivalent 5mg tablets is marginally advantageous to the wholesaler because their percentage markup to the retailer provides them with a larger dollar volume. A WAC set higher than the average is not disadvantageous to the retailer as long as their third-party reimbursement is equivalent to the reimbursement for multiple 5mg tablets.

As you recall, the actual dollar reimbursement to a pharmacy is based on the AWP minus a discount. The resulting profit margin available to the pharmacist is the difference between their reimbursement (AWP minus discount) and their acquisition cost which is generally the WAC (Wholesaler Acquisition Cost) plus 1% - 5% (generally 1% - 2% for many products and often as high as 4% for CII's).

Retail Spread Comparisons

The AWP for Roxicodone 15mg and 30mg tablets were set as follows:

<u>Product Description</u>	<u>Suggested List (AWP)</u>
Roxicodone 15mg 100's (Bottles)	\$110.00
Roxicodone 15mg 4x25's (UD)	\$120.00
Roxicodone 30mg 100's (Bottles)	\$212.00
Roxicodone 30mg 4x25's (UD)	\$230.00

The comparison of Roxicodone 15mg and 30mg tablets versus multiple generic 5mg tablets can be determined utilizing these prices and price assumptions for generic AWP's, AWP discounts and generic retail acquisition prices.

An average AWP for three bottles of one hundred generic 5mg tablets is \$102.87. A common discount off of AWP for a generic product is 25%; therefore, the third-party reimbursement to the pharmacist for three hundred 5mg tablets will be about \$77.15 (\$102.87 – 25%). The profit margin available to the pharmacist based on these assumptions would be \$77.15 less their current contract acquisition price. Assuming a contract acquisition price of \$48.00 would yield a profit margin (to the pharmacist) of \$29.15.

AWP: \$102.87

Reimbursement (AWP – 25%): \$77.15

Profit margin availability to pharmacy
(\$77.15 minus \$48.00): \$29.15

A typical reimbursement scenario can also be calculated for Roxicodone 15mg and 30mg. It is expected that these strengths will be reimbursed by third party payers at AWP less 8% to 15% due to their brand designation. Using a discount of 13%, we can calculate the following for a purchase of a bottle of 15mg, 100's.

AWP: \$110.00

Reimbursement (AWP – 13%): \$95.70

Profit margin available to pharmacy
(\$95.70 minus pharmacy AAC of \$55 + 2% or \$56.10): \$39.60

As this example shows, the profit margin to the pharmacist is favorable for Roxicodone 15mg 100's when compared to three hundred – 5mg oxycodone tablets.

FEATURES & BENEFITS

FEATURES	BENEFITS
Improved compliance	Patient has better pain control, less burdensome for physician and staff.
Single Entity Oxycodone	No concern for patient or physician regarding toxic effect from high dose ACT. or ASA.
Immediate Relief/ Rapid Onset	Fast onset of action helps eliminate patients pain quickly.
Lower cost compared to SR Oxycodone	Cost effective alternative to SR Oxycodone for patients without insurance.
Unique dosage strengths	Greater flexibility for physician prescribing Less pill burden for patients.
Small pill size	Easy for patients to swallow.
Pills are colored	Ease of identification for various dosage strengths.
Pills are scored	More flexibility in dosage and titration for physician patient.
Lower/comparable cost versus 5mg formulation	No addition cost to patient for added convenience.
Potential for few number of scripts to be written.	Less burden for physician and less visits required by patient.